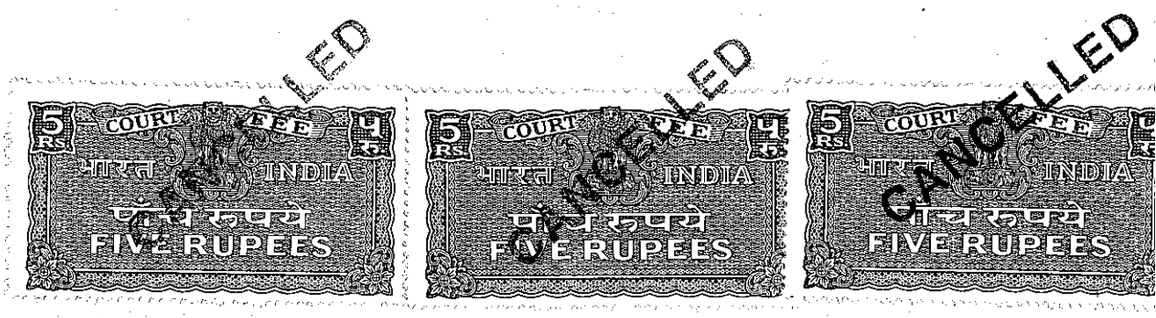

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

Single Bench

M.C.C. NO. 138 /2004

(Before Hon'ble the Chief Justices)

APPLICANT : Shyam Sunder Pandey
Aged about 46 years, S/o. Late Kashiram Pandey, R/o. 22/1 M.P. Housing Board, Colony Industrial States Bhilai, Tahsil and District Durg
(Revisioner in Civil Revision No.86/02 decided on 21.10.2004 by this Hon'ble Court)

Revision
Defendant

P.R. No. 22-6-04
Presented by Shri Uttam Pandey
dated 25.11.04

VERSUS

RESPONDENT : Ram Samujh, aged about 62 years S/o. late Mahaveer Prasad R/o. L.C. 27, Padum Nagar, Bhilai-3 Tah. Patan, Distt. Durg (C.G.)
(Respondent in Civil revision No. 86/2002 decided on 21.10.2004.

Plaintiff

REVIEW APPLICATION UNDER ORDER 47 RULE 1 READWITH SECTION 151 OF CODE OF CIVIL

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.C.C. 138 सन् 2004

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	05.01.2005: - Shri Uttam Pandey, counsel for the applicant. Shri R.M.Solapurkar, counsel for the respondent. Heard both the counsel. This Court gave an opportunity to the petitioner/defendant to show his bonafides by depositing a sum of Rs. 35,000/- with a view that in such an event the petitioner's defence can be considered. The petitioner was granted a month's time to make the said deposit. However, that was not done by him. Now, the present review petition has been filed by the petitioner stating that he was not able to comply with the order passed earlier and now he is ready with a Bankers Cheque bearing No. BC/CS/007 **810604** which is in favour of VII Additional District Judge, Durg (C.G.). Learned counsel for the petitioner has produced the same before this Court. Learned counsel appearing for the respondent made his submission. After due consideration, this Court is of the view that the petitioner has shown his bonafides and hence interest of justice will demand giving him an opportunity to put forth his defence. In this view of the matter C.R.No. 86/2004 is allowed. The trial Court shall proceed with the matter and dispose of the suit which is now pending before the VII A.D.J., Durg on or before 28th February 2005 and for which the defendant shall cooperate fully.	

GI.PRJ—FS/78 — 9/2000 —50,000

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.C.C. 138 **सन्** 2004

आदेश पत्रक (पूर्वानुबद्ध)

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	The Bankers Cheque bearing No. BC/CS/007 **810604** is taken on file and the Registry shall forward it to the VII A.D.J., Durg so that the same can be deposited to the credit of the said suit and ultimately can be disbursed depending upon the result of the suit. Parties are entitled for certified copy of the order. **Sd/-** **CHIEF JUSTICE**	